

EXHIBIT 8

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2 UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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4 H. CRISTINA CHEN-OSTER; LISA PARISI; and
SHANNA ORLICH,

5 PLAINTIFFS,

6 -against-

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8 GOLDMAN, SACHS & COMPANY and THE GOLDMAN SACHS
GROUP, INC.,

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10 DEFENDANTS.

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Civil Action No.
10-CV-06950 (LBS)

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VIDEOTAPED DEPOSITION OF ALLISON GAMBA

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New York, New York

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Wednesday, June 18, 2014

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Reported by:

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Rebecca Schaumloffel, RPR, CLR

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Job No: 81046

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| <p style="text-align: right;">Page 22</p> <p>1 A. GAMBA 2 my taking a day off in order to do this. 3 Q. So he didn't discourage you in 4 any way? 5 A. No. 6 Q. And he even, I think you said 7 earlier, offered to help if you needed 8 anything? 9 A. That's correct. 10 Q. You also testified earlier that 11 you were a little concerned about how it 12 would appear if I was deceptive. What did 13 you mean by that? 14 A. What I meant was because he was 15 actually involved in the complaint in 2007, 16 that I felt as though there was a chance he 17 would find out that I did this. And going 18 forward, he is still my manager and I believe 19 in honesty. I didn't want that to affect our 20 relationship.</p> <p>21 Q. Based upon [REDACTED] 22 response, is it fair to say that your 23 decision to submit a Declaration in this 24 litigation will not adversely affect your 25 working relationship with [REDACTED]</p> | <p style="text-align: right;">Page 23</p> <p>1 A. GAMBA 2 MS. GREENE: Objection. 3 A. Based on his response I can only 4 assume it won't, but I don't really have 5 anything further than that. 6 Q. But nothing he said indicates to 7 you that there will be an issue going 8 forward, correct? 9 A. That's correct. 10 Q. And when you said earlier that he 11 was actually involved in the complaint, we 12 will talk about this a little bit later, just 13 to be clear, the complaint wasn't launched 14 against [REDACTED] correct? 15 A. No. 16 Q. So aside from [REDACTED] is 17 there anybody else you discussed either the 18 litigation or the fact that you submitted a 19 Declaration? 20 A. Just my husband. 21 Q. Did you discuss the nature of the 22 litigation or the claims with your husband? 23 MS. GREENE: Objection. The 24 content of her discussions with her 25 husband is protected by the spousal</p> |
| <p style="text-align: right;">Page 24</p> <p>1 A. GAMBA 2 privilege. So I will instruct the 3 witness not to answer that question. 4 Q. It is just a yes or no. Not 5 asking for the substance. 6 A. Yes. 7 Q. Let's talk about your employment 8 previously with SLK. You started initially 9 with SLK, correct? 10 A. Yes. 11 Q. And then Goldman Sachs acquired 12 SLK, I believe, around October of 2000? 13 A. That's correct. 2001. 14 MS. GREENE: Just for the 15 clarity of the record, can we give the 16 full name of SLK? 17 Q. Sorry, Spear Leeds Kellogg. And 18 when Goldman Sachs -- sorry, just for 19 purposes of the record, I will refer to Spear 20 Leeds Kellogg as SLK, if that's okay, Miss 21 Gamba. 22 A. That's okay. 23 Q. So when Goldman Sachs acquired 24 SLK, you became a Goldman Sachs employee, 25 correct?</p> | <p style="text-align: right;">Page 25</p> <p>1 A. GAMBA 2 A. That's correct. 3 Q. And when Goldman Sachs acquired 4 SLK, the business that you were in at SLK 5 became a part of Goldman Sachs, correct? 6 A. That's correct. 7 Q. And that business unit eventually 8 became known as the NYSE specialist, correct? 9 A. No, that's not correct. At the 10 time in 2000, I was working on the American 11 Stock Exchange in what we called the AMEX ETF 12 department, the exchange traded fund. 13 Q. So you started off at SLK as part 14 of the ETF trader fund? 15 A. No, in 2000, I worked with them. 16 I started off in SLK in a trader training 17 program. It was a one-year program. I was 18 in it for two months and I was hired into 19 AMEX, American Stock Exchange Options. I 20 then transferred, in approximately 1999, I 21 started up with the AMEX ETF department. 22 Q. And then from the AMEX ETF 23 department, you then moved to another 24 department? 25 A. Yes. First I moved to another</p> |

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| <p style="text-align: right;">Page 102</p> <p>1 A. GAMBA 2 change to your reviewer list, correct? 3 A. That's correct. 4 Q. Do you believe in 2008 you 5 suffered gender discrimination as a result of 6 a change in the reviewer list? 7 A. No. 8 Q. Let's talk about 2009. You agree 9 with me that there was no change to your 10 reviewer list, correct? 11 A. That's correct. 12 Q. Do you believe in 2009 you 13 suffered gender discrimination as a result of 14 the reviewer list being changed? 15 A. No. 16 Q. So is it fair to say that you're 17 claim linking a change in the reviewer list 18 to gender discrimination is for the year 19 2010? 20 A. That's correct. 21 Q. Any other year? 22 A. Really 2010. I just -- I see 23 that it started and I saw it happened again 24 in another year. I feel like 2010 was really 25 the year that that's where it was linked to</p> | <p style="text-align: right;">Page 103</p> <p>1 A. GAMBA 2 that. 3 Q. But when you were up for managing 4 director in 2009, you already had taken your 5 first maternity leave; is that correct? 6 A. That's correct. 7 Q. So for the year 2009, which -- 8 for which you had already taken a maternity 9 leave, you don't believe for that period 10 there is any discrimination with respect to 11 the reviewer list, correct? 12 A. No. 13 Q. And for 2010, again, you don't 14 know whether men had their reviewer list 15 changed, correct? 16 A. Correct. 17 Q. And, in fact, you testified 18 earlier that in 2010, nobody from your 19 business unit was promoted to managing 20 director, correct? 21 A. That's correct. 22 Q. So the basis for your gender 23 discrimination claim with respect to 2010 is 24 based on the fact that even though nobody 25 else made managing director, you also did not</p> |
| <p style="text-align: right;">Page 104</p> <p>1 A. GAMBA 2 make managing director after having taken a 3 second maternity leave? 4 MS. GREENE: Objection. 5 A. Yes, that's part of it. I also 6 wasn't nominated that year after I was told 7 the year before to just continue doing what I 8 was doing and it's just a matter of time. 9 Q. And you testified earlier that 10 you had two conversations. So you mentioned 11 the first one in 2008 with [REDACTED] Was 12 the second one also in 2009 with [REDACTED] ? 13 A. Yes. 14 Q. And when you had that discussion 15 with him, with respect to your prospects for 16 making managing director, did you understand 17 that he was guaranteeing you a promotion? 18 A. No. I didn't understand it as a 19 guarantee. I understood it as long as my 20 performance continued the way it was, that he 21 would nominate me. That he would -- there 22 was a plan to seek promotion. 23 Q. You testified earlier about the 24 hybrid marketplace. Do you recall that 25 testimony?</p> | <p style="text-align: right;">Page 105</p> <p>1 A. GAMBA 2 A. Correct. 3 Q. Is it fair to say that in 2010, 4 your department had substantially been 5 downsized by that period? 6 A. That's correct. 7 Q. And do you think that the 8 performance of a particular business should 9 bear on whether an individual is promoted? 10 A. I think -- 11 MS. GREENE: Objection. 12 A. I think that it does. I also 13 think that we were downsizing our units since 14 2006 well before I was being promoted. And 15 the only thing that I knew about the 16 promotion process was from [REDACTED] And 17 the reason why he kept putting in that 18 statement, Goldman promotes in good and bad 19 years, was directly related to the 20 performance of our unit. Our unit was on a 21 downside -- on a down swing from 2006 on. 22 And my understanding of that conversation was 23 that that didn't affect or shouldn't affect 24 me getting recognized for the talents that I 25 had and for the performance I had.</p> |

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| <p>1 A. GAMBA</p> <p>2 Q. In 2010, are you aware of anybody</p> <p>3 being nominated for managing director?</p> <p>4 A. In my department?</p> <p>5 Q. Yes.</p> <p>6 A. No.</p> <p>7 Q. In fact, nobody was nominated for</p> <p>8 managing director in 2010, correct?</p> <p>9 A. From my department?</p> <p>10 Q. Yes.</p> <p>11 A. That's correct.</p> <p>12 Q. So the fact that nobody, not a</p> <p>13 man, not you, was nominated for managing</p> <p>14 director, does that, in your view, bear on</p> <p>15 whether that decision was based on gender</p> <p>16 discrimination?</p> <p>17 A. No because I was the last person</p> <p>18 they were planning on promoting in the near</p> <p>19 future as far as I was told. It is -- I was</p> <p>20 the only one on the team. I was the only one</p> <p>21 in that position. And they weren't looking</p> <p>22 -- there wasn't any other prospects that were</p> <p>23 doing anything different and moving their</p> <p>24 career in that direction. I was told I was</p> <p>25 the last one.</p> | <p>1 A. GAMBA</p> <p>2 Q. Sorry; you were told -- you were</p> <p>3 told that you were the last person who would</p> <p>4 be nominated for managing director?</p> <p>5 A. That they were -- yes, they</p> <p>6 weren't planning on nominating any time soon</p> <p>7 because nobody else in our department was</p> <p>8 performing anywhere near management status.</p> <p>9 Q. Who told you you would be the</p> <p>10 last person to be nominated as managing</p> <p>11 director?</p> <p>12 MS. GREENE: Objection.</p> <p>13 A. I can't remember anybody</p> <p>14 specific. It was just in conversation. It</p> <p>15 was just something that was known. I was the</p> <p>16 only one on that track at the time.</p> <p>17 Q. And when -- when were you told</p> <p>18 that you would be the last one to be</p> <p>19 nominated?</p> <p>20 A. Again, around that time. Between</p> <p>21 2009, 2010.</p> <p>22 Q. But you don't remember who said</p> <p>23 that to you?</p> <p>24 A. I remember in 2007, during that</p> <p>25 conversation with [REDACTED] he told</p> |
| <p>Page 108</p> <p>1 A. GAMBA</p> <p>2 me that [REDACTED] and I were going to</p> <p>3 be nominated and he would probably get</p> <p>4 through first and that then they would try</p> <p>5 and get me through. And that was all --</p> <p>6 those were the only prospects they were</p> <p>7 looking at.</p> <p>8 Q. That was in 2007, correct?</p> <p>9 A. Correct.</p> <p>10 Q. What about after that, were you</p> <p>11 ever told that you would be nominated?</p> <p>12 A. Not specifically told. It was</p> <p>13 just an understanding.</p> <p>14 Q. What do you mean, an</p> <p>15 understanding?</p> <p>16 A. I was the only person, again, who</p> <p>17 was running the team. I was the only person</p> <p>18 in the manager meetings. I was the only</p> <p>19 person doing the job anyway. There wasn't</p> <p>20 really anybody else who was even looked at as</p> <p>21 management material.</p> <p>22 Q. But nobody told you after 2007</p> <p>23 that you would be nominated again, correct?</p> <p>24 MS. GREENE: Objection.</p> <p>25 A. Nobody told me specifically.</p> | <p>Page 109</p> <p>1 A. GAMBA</p> <p>2 [REDACTED] told me in that meeting, when I</p> <p>3 asked him what do I need to do in order to</p> <p>4 get it next year, he said just keep doing</p> <p>5 what you are doing. It is only a matter of</p> <p>6 time. And he told me to seek out other</p> <p>7 managing directors in other departments in</p> <p>8 order to get my name out there.</p> <p>9 So no, he never told me I am</p> <p>10 going to nominate you next year. But he told</p> <p>11 me a path to help myself. So it was an</p> <p>12 assumption that I had to do work on my end</p> <p>13 and the nomination would be there. I was</p> <p>14 definitely led to believe that I was going to</p> <p>15 be nominated that year. And I was really</p> <p>16 surprised and embarrassed that I had wasted</p> <p>17 all of that time going out and going to</p> <p>18 dinners and meeting people in order to just</p> <p>19 not even get a nomination.</p> <p>20 Q. So you testified earlier that you</p> <p>21 were led to believe in 2008, by [REDACTED]</p> <p>22 that you would be nominated managing director</p> <p>23 because he encouraged you to network and</p> <p>24 speak to people outside of the department?</p> <p>25 MS. GREENE: Objection.</p> |

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| <p>1 A. GAMBA</p> <p>2 A. That was in 2009 when he told me</p> <p>3 to seek people outside the department. 2008,</p> <p>4 he just told me to continue doing what I was</p> <p>5 doing.</p> <p>6 Q. So based upon your discussion</p> <p>7 with [REDACTED] in 2009 where he encouraged</p> <p>8 you to meet people outside of the department,</p> <p>9 based on that discussion, you believed him to</p> <p>10 say that you would definitely be nominated</p> <p>11 for managing director?</p> <p>12 A. Correct.</p> <p>13 Q. Are you aware, Miss Gamba, that</p> <p>14 in 2007, there were [REDACTED] people in NYSE</p> <p>15 specialists business unit and by 2010, the</p> <p>16 work force was cut to [REDACTED]?</p> <p>17 A. [REDACTED] people?</p> <p>18 Q. Sorry; [REDACTED] people.</p> <p>19 A. Yes.</p> <p>20 Q. And that was cut to [REDACTED]?</p> <p>21 A. I don't know the exact numbers,</p> <p>22 but I know we were significantly downsized.</p> <p>23 So yes, that would make sense.</p> <p>24 Q. Are you also aware in 2010 while</p> <p>25 there were [REDACTED] people in the business unit,</p> | <p>1 A. GAMBA</p> <p>2 there were seven managing directors?</p> <p>3 A. Yes.</p> <p>4 Q. So in light of the significant</p> <p>5 reduction in workforce and the high number of</p> <p>6 managing directors relative to the size of</p> <p>7 the department, do you think that you were</p> <p>8 discriminated against based on the basis of</p> <p>9 gender when you were not nominated for</p> <p>10 managing director in 2010?</p> <p>11 MS. GREENE: Objection.</p> <p>12 A. I don't think one thing has to do</p> <p>13 with the other. I think the way I understood</p> <p>14 the way the rest of Goldman worked, the</p> <p>15 limited experience I had through the women's</p> <p>16 network, first introduction I had was to a</p> <p>17 woman on the ETF desk who was part of two</p> <p>18 managing directors and a team of four. So I</p> <p>19 didn't really feel as though that mattered.</p> <p>20 Q. This ETF desk, did you have an</p> <p>21 understanding of whether that business was</p> <p>22 shrinking or was it a growth business?</p> <p>23 A. No, I had no recollection. I</p> <p>24 know that the entire trading business,</p> <p>25 securities business, had been going</p> |
| <p>Page 112</p> | <p>Page 113</p> |